

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA8 DELANEY BARNES,
9 Plaintiff,

No. C 08-3769 SI (pr)

ORDER OF TRANSFER

10 v.

11 BOARD OF PRISON
TERMS/HEARINGS,
12 Defendant.

13 _____ /
14
15 Delaney Barnes filed this civil rights action under 42 U.S.C. § 1983, complaining of acts
16 and omissions that occurred at the Deuel Vocational Institute in Tracy, California. Tracy is in
17 San Joaquin County, within the venue of the Eastern District of California. The defendant
18 apparently resides in the Eastern District of California. Venue therefore properly lies in that
19 district and not in this one. See 28 U.S.C. § 1391(b). Accordingly, in the interest of justice and
20 pursuant to 28 U.S.C. § 1406(a), this action is TRANSFERRED to the United States District
21 Court for the Eastern District of California. The clerk shall transfer this matter.

22 IT IS SO ORDERED.
23 Dated: August 25, 2008
24 SUSAN ILLSTON
25 United States District Judge
26
27
28

UNITED STATES DISTRICT COURT
FOR THE
NORTHERN DISTRICT OF CALIFORNIA

DELANEY BARNES,

Plaintiff,

v.

BOARD OF PRISON et al,

Defendant.

Case Number: CV08-03769 SI

CERTIFICATE OF SERVICE

I, the undersigned, hereby certify that I am an employee in the Office of the Clerk, U.S. District Court, Northern District of California.

That on August 25, 2008, I SERVED a true and correct copy(ies) of the attached, by placing said copy(ies) in a postage paid envelope addressed to the person(s) hereinafter listed, by depositing said envelope in the U.S. Mail, or by placing said copy(ies) into an inter-office delivery receptacle located in the Clerk's office.

Delaney Barnes F-88879
Deuel Vocational Institution
P.O. Box 600
Tracy, CA 95378-0600

Dated: August 25, 2008

Richard W. Wiking, Clerk
By: Tracy Sutton, Deputy Clerk

